IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2166 OF 2005

Vishwas Dadu Zende ...Petitioners
Vs.
The State of Maharashtra & Anr. ...Respondents

Mr.S.D.Dharmadhikari for Petitioner
Mr.C.R. Sonawane, A.G.P. for Respondents

CORAM: H.L.GOKHALE &
SMT.R.S.DALVI,JJ.
DATED: 5TH JULY, 2005

P.C.

1. Heard Mr. Dharmadhikari in support of this Petition. The Petitioner is present in Court. An order of compulsory retirement has been passed against the Petitioner by the District, Judge, Sangli on 23rd February, 2005 which is challenged in this Petition. The Petitioner was working as Assistant Superintendent in the Court of Civil Judge (J.D.), Shirala, Dist: Sangli. In view of certain grievances against the Petitioner the impugned order is passed. The Petition is defended by filing a reply of the Registrar (Legal), High Court, Appellate Side, Bombay.

2. Even so considering the fact that the Petitioner has put in 32 years of service, we had asked the Government Pleader to take instruction as to whether the order of compulsory retirement can be converted into voluntary retirement. Mr. Sonawane,

learned A.G.P. has taken instructions from the District Court and has tendered copy of the letter dated 27th June, 2005 addressed by the Learned District Judge, to the Registrar (Legal), High Court, Appellate Side, Bombay. The Petitioner is present and is ready and willing to give-up the claim in the Petition and to retire voluntarily. He will therefore, present an application to the learned District Judge, Sangli, and the District Judge, Sangli will pass an order converting the compulsory retirement of the Petitioner into voluntary retirement which will be beneficial to some extent to the Petitioner. Petitioner will therefore undoubtedly be benefited to receive better retirement benefits under the footing of voluntary retirement.

. Petition stands disposed of.

(H.L.GOKHALE,J.)

(SMT.R.S.DALVI,J.)